DOCUMENT RESUME

ED 284 438 FL 016 830

TITLE	Bilingual Education. Information on Limited English Proficient Students. Briefing Report to the Chairman, Committee on Labor and Human Resources, United States Senate.
INSTITUTION	General Accounting Office, Washington, D.C.
REPORT NO	GAO/HRD-87-85BR
PUB DATE	Apr 87
NOTE	31p.
AVAILABLE FROM	U.S. General Accounting Office, P.O. Box 6015, Gaithersburg, MD 20877 (first five copies are free; additional copies are $2.00 each, with a 25% discount for orders of 100 or more copies).
PUB TYPE	Information Analyses (070) -- Reports - General (140)
EDRS PRICE	MF01/PC02 Plus Postage.
DESCRIPTORS	*Bilingual Education; Elementary Secondary Education; *English (Second Language); *Federal Aid; *Federal Programs; *Limited English Speaking; Public Education; State Legislation; Statistical Data; *Transitional Programs

ABSTRACT

The numbers and status of limited- English-proficient (LEP) students who are supported by federal funds appropriated under the Bilingual Education Act are reported. The investigation included interviews with officials of relevant state and federal agencies, reviews of state reports and pertinent studies, and collection of statistical information from the 50 states and the District of Columbia. Topics addressed include: number of LEP students in the United States; concentration of LEP students of particular language minority groups by school districts within each state; number of LEP students served by Title VII and Non-Title VII funds; extent to which native language is used in transitional bilingual education programs; the minimum number of LEP students required for provision of bilingual education; and states' estimation of the number of years students remain in programs for LEP children. Results indicated that there are approximately 1.2 to 1.7 million LEP students in the United States. English was used predominantly for instruction in programs designed to serve LEP students. Most LEP students spent 2 to 4 years in a transitional program. (CB)

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United States General Accounting Office

GAO

Briefing Report to the Chairman, Committee on Labor and Human Resources, United States Senate

April 1987

BILINGUAL EDUCATION

Information on Limited English Proficient Students

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United States
General Accounting Office
Washington, D.C. 20548

Human Resources Division

B-226877

April 30, 1987

The Honorable Edward M. Kennedy
Chairman, Committee on Labor
and Human Resources
United States Senate

Dear Mr. Chairman:

In response to your April 2, 1987, request, we are providing information on a series of questions concerning "limited English proficient" (LEP) students, who are supported by federal funds appropriated under the Bilingual Education Act (title VII of the amended Elementary and Secondary Education Act of 1965). Under this act, federal funds are provided for school-age LEP students to help them learn the English language well enough to fully participate in all-English classes and maintain academic progress. This information was requested for your committee's use in markup deliberations on S. 857--a bill to amend the Bilingual Education Act.

To answer your questions, we met with officials and obtained pertinent studies and state reports from the Department of Education's Office of Bilingual Education and Minority Language Affairs. We also obtained information from other department offices, the Congressional Research Service, and the Department of Commerce's Bureau of the Census. Finally, we telephoned the offices of title VII state education agency program coordinators in the 50 states and the District of Columbia to obtain a variety of statistical information for school year 1985-86--which was the most recent year for which we believed complete data would be available. A summary of our work follows. More detailed information is provided in this report.

NUMBER OF LEP STUDENTS IN THE UNITED STATES

Estimates of the number of LEP students vary widely. The Department of Education estimates that there are 1.2 to 1.7 million LEP school-aged children (ages 5-17). This estimate is based on the number of children who (1) score at or below the 20th percentile on a national English language proficiency examination and (2) demonstrate a dependence on their native language.

We have no basis to verify the validity of the department's estimate. The total LEP population estimate is highly sensitive to the number of indicators (non-English language is the first or second household language, child speaks non-English language at home, etc.) of dependency on native language used in making the estimate. Although the 50 states and the District of Columbia told our staff that there are about 1.5 million LEP students, we believe this total underestimates the LEP population because states depend on school districts' self-reports on the number of LEP students. According to department and state program officials, many districts do not report such data to their state, while others may undercount their students.

CONCENTRATIONS OF LEP STUDENTS

States do not systematically or routinely collect data concerning the concentration of LEP students by language minorities in school districts. We identified 26 states, however, that maintain data providing some indication of low and high concentrations of LEP students in their states. Some caution should be used, though, in using these data to reach conclusions about the extent to which transitional bilingual education programs[1] (as opposed to alternative approaches) are feasible in these states. It is important to note that other factors, such as student skills, parental interests, teacher and curriculum material availability, etc., be considered in assessing whether it is feasible to establish a transitional bilingual education program.

Among other things, states define a concentration of LEP students differently. In addition, for states aggregating data on a district-wide basis, data are not readily available to show (1) if students said to be in areas of high concentration are in the same building or grade or (2) if they live close enough to one another to make a particular approach feasible.

Our analysis used state policies on the minimum number of LEP students needed to establish a bilingual program as a threshold for defining low and high concentration areas.

1Programs of bilingual education that emphasize the development of English-language skills in order to enable students whose proficiency in English is limited to shift to an all-English program of instruction.

If no policy existed, we used 10 students as the cutoff point between low and high concentrations of LEP students if the average pupil-teacher ratio in the state was less than 20 to 1. We used 20 students as the cutoff point for those states where the average pupil-teacher ratio was more than 20 to 1.

Data from the nine states that aggregate their data by school building and/or by grade indicate that 78 percent of their 909,427 LEP students (713,698 students) were in high concentration areas by language minority group, while 22 percent (195,729 students) were in low concentration areas. In the 17 states that aggregated data on LEP students by school district, data indicate that 72 percent of their 165,920 LEP students (119,081 students) were in high concentration areas by language minority group, while 28 percent (or 46,839 students) were in low concentration areas. By our analysis, there are at least 240,000 LEP students in low concentration areas in these 26 states.

LEP STUDENTS SERVED BY TITLE VII AND NON-TITLE VII FUNDS

LEP students may be served by more than one funding source. Program officials in the 50 states and the District of Columbia told us that collectively 171,245 LEP students were served with title VII funds; 390,932 with other federal funds; 724,529 with state funds; and 692,850 with local funds. In addition, the number of unserved children in need of LEP services were identified by these program officials. These statistics are likely to be conservative, however, because many states and the District of Columbia did not have LEP student data for one or more funding sources (25 states) or on the number of unserved students (13 states).

NATIVE LANGUAGE USE IN TRANSITIONAL BILINGUAL EDUCATION PROGRAMS

No adequate data are available on how much native language instruction is being used nationally in transitional bilingual education programs. However, two studies found that English was used predominantly for instruction in programs designed to serve LEP students. Both studies were prepared by private research organizations for the Department of Education.

MINIMUM NUMBER OF LEP STUDENTS FOR BILINGUAL EDUCATION TO BE PROVIDED

The Office of Bilingual Education and Minority Language Affairs told us that the minimum number of students needed to justify a bilingual education program differs from state to state. We found that 11 states and the District of Columbia had established such policies. Our analysis showed that the unit of analysis varied, as did the minimum number of students needed. In some states, the policy referred to the number of LEP students per grade, in particular the number speaking a common language. In other states, the standard utilized a particular number of students speaking any language other than English. Three states, however, required 20 or more LEP students of the same language minority in a grade in a school before establishing a bilingual education program.

AVERAGE NUMBER OF YEARS IN BILINGUAL EDUCATION PROGRAMS

Program officials from 39 states and the District of Columbia provided length-of-stay estimates showing, in the majority of these states, that LEP students in both transitional bilingual education programs and alternative programs spend between 2 and 4 years in these programs.

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As requested by your office, we did not obtain official agency comments on this report because of time limitations. We did, however, discuss its contents with department officials and made appropriate changes. We plan to send copies to interested parties and make copies available to others on request.

Should you wish to discuss the information provided, please call me on 275-5365.

Sincerely yours,

William J. Gainer

William J. Gainer
Associate Director

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ABBREVIATIONS

GAO	General Accounting Office
LEP	limited English proficient

BILINGUAL EDUCATION:

INFORMATION ON LIMITED ENGLISH PROFICIENT STUDENTS

BACKGROUND

A "limited English-proficient" (LEP) student is defined by the Bilingual Education Act as an individual who comes from a home environment where a language other than English is most relied upon for communication and who has sufficient difficulty in understanding, speaking, reading, and writing English to deny the individual the opportunity to learn successfully in all-English classrooms.

The Bilingual Education Act, title VII of the amended Elementary and Secondary Education Act of 1965, provides educational services primarily for school-age LEP students to help them learn the English language well enough to fully participate in all-English classes and maintain academic progress.

Part A of the Bilingual Eduction Act authorizes a variety of programs in local school districts. (Part B of the act authorizes data collection, evaluation, and research; part C authorizes training and technical assistance.) Of the overall appropriations in any year, the act directs the Secretary of Education to reserve 60 percent for part A programs and to further reserve 75 percent of that amount for transitional bilingual education programs. Thus, most school programs under the act must use teaching methods involving some use of a native language other than English. Conversely, only 4 percent of the total annual appropriations shall be reserved for special alternative instructional approaches if less than a total of $140 million is appropriated. If more than $140 million is appropriated, 50 percent of the amount over $140 million (up to a maximum of 10 percent of the act's total annual appropriations) shall be reserved for alternative instructional approaches.

S. 857 proposes to amend these Bilingual Education Act provisions by requiring the Secretary of Education to reserve 25 percent of the entire part A appropriations for special alternative instructional programs and related activities. Special alternative instructional approaches need not use the native language.

Office of Bilingual Education and Minority Language Affairs officials believe the lack of a clear definition of "transitional bilingual education" in the act and the statutory prohibition against further defining this term result in many programs that offer little or no instruction or course work in the child's native language. They believe many instructors in bilingual

education programs would consider such instruction a necessary component of any transitional bilingual education program. In this regard, section 703(a)(4)(A) provides for "structured English language instruction, and, to the extent necessary to allow a child to achieve competence in the English language, instruction in the child's native language." Section 703(b)(2) specifically prohibits the Department of Education from further defining this term. As a result, many programs may not have a classroom teacher who speaks the native language. Rather, a classroom aide may speak the native language and provide assistance to children, as needed.

Current debate involving bilingual education involves not only whether the majority of federal funds should be earmarked to support transitional bilingual education, but also to what extent alternative instructional approaches for teaching LEP students should be supported under the Bilingual Education Act.

OBJECTIVE, SCOPE, AND METHODOLOGY

On April 2, 1987, we were asked by the Chairman, Senate Committee on Labor and Human Resources, to obtain certain information concerning LEP children in bilingual education programs. The questions we were asked to answer were:

-- How many limited English proficient children are there in the United States?

-- How are limited English proficient children concentrated in each state?

-- How many children are served by title VII and non-title VII funds?

-- How much native language is used in transitional bilingual education programs?

-- What is the minimum number of limited English proficient students for bilingual education to be provided?

-- What do states estimate to be the number of years students remain in programs for LEP children?

To obtain the requested information, we met with officials from and analyzed studies and state reports maintained by the department's Office of Bilingual Education and Minority Language Affairs. Additional information was obtained from the Department of Education's Office of Planning, Budget, and Evaluation; the National Center for Educational Statistics; and the National Clearinghouse on Bilingual Education. We also obtained information from the Congressional Research Service and the Department of Commerce's Bureau of the Census.

In addition, we obtained statistical data from the 50 states and the District of Columbia during telephone conversations with officials in the offices of title VII state education agency program coordinators. Statistics were obtained for school year 1985-86 because it was the most recent year for which we expected complete data to be available. State statistics presented in this report reflect data received by our staff from April 8 through April 15, 1987. Because of time limitations, we were unable to independently verify state statistics. However, we asked states to provide us with documentation to support statistical information provided to our staff during our telephone conversations.

As requested by the Chairman's office, we did not obtain official agency comments on this report becuse of time limitations. We did, however, discuss its contents with officials from the Office of Bilingual Education and Language Minority Affairs and made appropriate changes.

Our review was conducted in accordance with generally accepted government auditing standards.

QUESTION 1

HOW MANY LIMITED ENGLISH PROFICIENT STUDENTS ARE THERE IN THE UNITED STATES?

In the time available we were unable to review the data and studies on this topic to provide any estimate of the number of LEP students. Estimates of LEP children in the United States vary widely. The Department of Education's most recent estimate of 1.2 to 1.7 million LEP school-aged children (ages 5-17) was included in the Secretary of Education's 1986 report to the President and the Congress on the condition of bilingual education in the nation. This estimate was based on data from the joint Department of Education/Bureau of the Census English Language Proficiency Study, which began in 1981. Other estimates are higher, and the department's own methodology can be used to create estimates ranging up to 2.6 million.

The department's estimated range of LEP children is based on the number of children who, in 1982, (1) scored at or below a cutoff score of the 20th percentile on a national language proficiency examination[1] given by the Census Bureau and (2) demonstrated dependence on their native language as evidenced by 5 or 6 or more of 11 selected non-English use indicators. The number of LEP students in 1982 was then increased by about 7 percent to reflect the department's estimated growth in the number of LEP students from fall 1982 to January 1986.

Of the 11 indicators of non-English language use adopted by the department, the six most common are

-- non-English language is first or second household language,

-- child speaks non-English language at home,

-- non-English language is mother tongue (ages 14-17) or non-English language is first household language (ages 5-13),

-- non-English language is first household language (all ages 5-17),

---

[1]In response to a request by the Congress for estimates by state of the numbers of LEP students and language minorities, the Department of Education commissioned the Census Bureau to conduct the English Language Proficiency Survey, in which 4,000 language minority children and 4,800 native English-speaking children were tested on their English proficiency.

-- household head speaks non-English language with children in the household, and

-- child is born outside the United States.

We have no basis to verify the validity of the deparment's estimate. For example, the total LEP population estimate is highly sensitive to the number of dependency indicators used. In 1986, the LEP population estimate based on only one indicator and the 20th percentile test score cutoff was about 2.6 million. The estimate based on five or more categories of non-English language use indicators cited above was 1.7 million students. The LEP population calculated by using six or more non-English language use indicators decreased the LEP population to 1.2 million students.

A state-by-state breakout of the department's estimate of 1.2 to 1.7 million students is not available because data were not projected to individual states. Only the results of student language proficiency examinations are available on a state-by-state basis.

Although section 737(a) of the Bilingual Education Act requires the National Center for Education Statistics to collect and annually publish data concerning LEP services and programs, no such information has been collected or published. Consequently, we attempted to rely on annual reports submitted by states on their respective LEP populations and the educational services provided or available to such persons. However, we found that not all states are required to submit such reports and the reporting states vary in the use of cutoff scores to identify their state LEP populations from among students with non-English language backgrounds. For example, Texas uses the 23rd percentile on state-required achievement tests, while Illinois uses the 50th percentile on achievement tests as its cutoff score. Data in state reports are also often incomplete.

Table 1 shows the number of LEP children by state, for school year 1985-86. These statistics were (1) taken from the annual reports submitted by states to the Department of Education and (2) reported to us by state program officials during telephone conversations. For the same 40 states and the District of Columbia which reported the number of LEP students in annual reports and to us, our total LEP population was over 62,000 more in total than reported in their annual reports. While we did not have the time to reconcile differences in data reported to the department and to us, we identified several reasons for discrepancies. These reasons included

-- differences in the time of year that data were reported;

-- unserved students had not been counted in reports submitted to the department; and

-- the lower population figures reported to the department included only those students who had been tested rather than the total population of students who could potentially need LEP services.

We question the accuracy of both sets of data. Regarding information obtained from states' annual reports, response rates from local school districts to the states varied considerably from state to state. For example, of the 20 states for which information on response rates was available, response rates ranged from 40 to 100 percent. Regarding information we obtained from state program offices, numbers were in some cases based on estimates rather than actual LEP student counts. In addition we believe that state information underestimates the LEP population because, according to department and state program officials, many local school districts do not report the number of LEP students who were not served.

Table 1: Number of LEP Students by State
(School Year 1985-86)

State	Data reported by states to: Education Department	GAO[a]
Alabama	[b]	700
Alaska	10,471	10,570
Arizona	37,642	38,726
Arkansas	[c]	360
California	567,564	567,564
Colorado	16,025	16,000[d]
Connecticut	11,517	17,000
Delaware	[b]	1,184
District of Columbia	6,398	5,089
Florida	[c]	34,226
Georgia	3,929	3,910
Hawaii	8,836	8,595
Idaho	1,990	1,990
Illinois	53,742	53,742
Indiana	2,839	2,795
Iowa	3,228	3,228
Kansas	[b]	6,485
Kentucky	1,071	1,029
Louisiana	8,877	28,000
Maine	[e]	900[d]
Maryland	7,029	7,037
Massachusetts	25,660	25,400[d]
Michigan	18,561	18,561
Minnesota	9,461	9,461
Mississippi	1,291	2,491
Missouri	3,156	3,156
Montana	2,738	2,738
Nebraska	917	917
Nevada	3,401	4,000[d]
New Hampshire	342	500
New Jersey	35,597	35,597
New Mexico	50,772	50,772
New York	140,545	140,545
North Carolina	3,000	7,500
North Dakota	6,448	12,000[d]
Ohio	9,760	12,500[d]
Oklahoma	6,633	6,756
Oregon	3,968	5,627

	Data reported by states to: Education Department	GAO[a]
Pennsylvania	[b]	12,193
Rhode Island	5,227	5,277
South Carolina	[b]	203[f]
South Dakota	5,489	4,571
Tennessee	2,100	4,000
Texas	274,091	285,599
Utah	3,408	22,883
Vermont	512	842
Virginia	[b]	9,000
Washington	17,151	13,000
West Virginia	[b]	375[d]
Wisconsin	8,315	8,019
Wyoming	1,835	1,835
Total	1,387,536	1,515,406

[a]During telephone conversations with state officials from April 8-15, 1987.

[b]State did not apply for or receive funding for data collection evaluation and research concerning bilingual education programs. Therefore, no annual report was submitted to the Department of Education.

[c]As of April 13, 1987, state annual report for school year 1985-86 had not been submitted to the Department of Education.

[d]Estimated number.

[e]Data not reported in annual report submitted to the Department of Education.

[f]Refugees only.

QUESTION 2

HOW ARE LIMITED ENGLISH PROFICIENT CHILDREN OF PARTICULAR LANGUAGE MINORITY GROUPS CONCENTRATED BY SCHOOL DISTRICTS WITHIN EACH STATE?

States do not systematically or routinely collect data demonstrating the concentration of LEP students by school district. Given the uneven availability of data and a variety of policy and definitional differences among states, the data provided here should be used cautiously.

Of the 50 states and the District of Columbia, 24 states[2] and the District of Columbia do not collect data on the concentrations of LEP children by school district and language minority. Nine of the other 26 states are able to show the extent to which LEP students of a particular language minority are concentrated by grade (or grade groupings, such as grades 4-8) within a school building within a school district. The other 17 states are able to report the concentration of LEP students of a particular language minority by school district only. (See tables 2 and 3.)

In collecting data and making our analyses, we used state policies on the minimum number of LEP students needed to establish a bilingual program as the threshold for defining low and high concentration areas. If no policy existed, we used 10 students as a cutoff point between a low and high concentration of LEP students if the state's average pupil-teacher ratio was less than 20 to 1. We used 20 students as a cutoff point if a state's average pupil-teacher ratio was more than 20 to 1.

Concentration of LEP students in states that aggregate data by grades within school buildings

Our analysis of nine states that aggregate their data by school and/or by grade(s) showed that 78 percent of their 909,427 LEP students (or 713,698 students) were in high concentration areas by language minority groups, while 22 percent (195,729 students) were in low concentration areas.

Those states that aggregated data by school building and grade tended to be those with policies on the number of LEP students that necessitate setting up bilingual programs and tended to include states with the highest concentrations of LEP students (California,

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[2]Alabama, Arizona, Arkansas, Colorado, Florida, Hawaii, Iowa, Maine, Michigan, Montana, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, Tennessee, Utah, Vermont, West Virginia, and Wyoming.

Texas, and New York). These same states have the highest number of LEP students in the country. Consequently, the data from these nine states are not generalizable because states that have high concentrations are overrepresented.

Significant differences existed in how the nine states defined a concentration of LEP students requiring the establishment of a bilingual program, as shown in the footnotes to table 2. While recognizing these variations among states, some generalizations can be made regarding the concentration of LEP students in these nine states.

-- Six states had 50 percent or more of their LEP populations classified as falling within the high concentration category. These were New York (96 percent), Texas (83 percent), California (72 percent), Connecticut (69 percent), Illinois (69 percent), and Wisconsin (64 percent).

-- Three states had less than 50 percent of their LEP student populations classified as falling within the high concentration category. These were Pennsylvania (41 percent), Idaho (25 percent), and Georgia (3 percent).

Concentration of LEP students in states that aggregated data by school district

Our analysis of the 17 states that aggregated data on LEP students by school district showed that 72 percent of their 165,920 LEP students (or 119,081 students) were in high concentration areas by language minority group, while 28 percent (46,839 students) were in low concentration areas. No data exist to determine whether the 119,081 students who are classified as being in "high concentration" areas are in close enough proximity (e.g., school building or attendance area) to make a transitional bilingual program a feasible option.

As shown in table 3, of the 17 states that aggregated data by school district, 11 states have 50 percent or more of their identified LEP students highly concentrated among particular language minority groups. In the 11 "highly concentrated" states, a large proportion of LEP students were generally concentrated among a few school districts and few language minority groups.

Table 2:

Concentrations of LEP Students of a Particular Language Minority by School District, School Building, and Grade, as Reported by 9 States

State	Total LEP students	Concentration		School districts	Language minorities	How high and low are defined
		Students	Percent			
California	390,409[d]					
High		282,527[d]	72	c	15	e
Low		107,882[d]	28	c	100+	
Connecticut	17,000					
High		11,672	69	14	8	f
Low		5,328	31	125	60[a]	
Georgia	3,910					
High		100	3	4	4	b
Low		3,810	97	96	58	
Idaho	1,990					
High		500[a]	25[a]	20	2	b
Low		1,490[a]	75[a]	86[a]	24	
Illinois	53,742					
High		37,307	69	68	70	f
Low		16,435	31	364	70[a]	
New York	140,545					
High		134,914	96	156[a]	92[a]	g
Low		5,631	4	c	c	
Pennsylvania	12,193					
High		5,059	41	16	8	b
Low		7,134	59	188	65	
Texas	285,599					
High		236,450	83	660[a]	102[a]	h
Low		49,149	17	c	c	
Wisconsin	8,019					
High		5,169	64	18	4	i
Low		2,850[a]	36	121	71	
Totals	909,427					
High		713,698	78			
Low		195,729	22			

[a]Data are estimated.

[b]Where states did not have a policy on the number of LEP students that necessitates setting up a bilingual program, but were able to provide information by grade and by school within a district, we used 10 students as a cutoff point for states where the average pupil-teacher ratio is less than 20 to 1 and 20 students as a cut-off point for states where the average pupil-teacher ratio is more than 20 to 1.

[c]Data are unavailable.

[d]Data are for grades K-6 only.

[e]California requires that a bilingual program be established if there are 10 or more LEP students of a particular language minority in any grade K-6 in a school.

[f]Connecticut and Illinois require that a bilingual program be established if there are 20 or more LEP students of a particular language minority in any school.

[g]New York requires that a bilingual program be established if there are 20 or more LEP students of a particular language minority in a grade in a school.

[h]Texas requires that a bilingual program be established for all LEP students of a particular language minority in grades K-5, if there are 20 or more students of that particular language minority in a grade in that school.

[i]Wisconsin requires that a bilingual program must be established if there are more than the following numbers of LEP students of a particular language minority in a grade grouping: 10 students within grades K-3; 20 students within grades 4-8; and 20 students within grades 9-12.

Table 3:

Concentrations of LEP Students of a Particular Language Minority Group By School District As Reported By 17 States

State	Total LEP students	Concentration		School districts	Language minorities	How high and low are defined
		Students	Percent			
Alaska	10,570					
High		10,185	96	32	33	d
Low		385	4	19	70	
Delaware	1,184					
High		406	34	4	1	b
Low		778	66	17	32	
Indiana	2,795					
High		1,067	38	23	12	b
Low		1,728	61	64	84	
Kansas	6,485					
High		3,938	61	20	8	b
Low		2,547	39	c	c	
Kentucky	1,029					
High		603	59	6	9	b
Low		426	41	31	29	
Louisiana	28,000[a]					
High		12,500[a]	45	5	6	b
Low		15,500[a]	55	55	54	
Maryland	7,037					
High		6,406	91	13	44	b
Low		631	9	18	91	
Massachusetts	25,400[a]					
High		23,000[a]	91	47	17	e
Low		2,400[a]	9	c	c	
Minnesota	9,461					
High		5,000	53	4	5	b
Low		4,461	47	131	48	
Mississippi	2,491					
High		1,807	73	2	2	b
Low		684	27	c	c	

Missouri	3,156					
High		722	23	12	7	b
Low		2,434	77	104	c	
Nebraska	917					
High		198	22	4	4	b
Low		719	78	42	35[a]	
New Jersey	35,597					
High		29,758	84	71	10	b
Low		5,839	16	15	100[a]	
Rhode Island	5,227					
High		5,050	97	21	14	b
Low		177	3	10	c	
South Dakota	4,571					
High		3,641	80	25	6	b
Low		930	20	22	16	
Virginia	9,000					
High		8,800[a]	98	25[a]	5[a]	b
Low		200[a]	2	105[a]	70[a]	
Washington	13,000					
High		6,000[a]	46	57[a]	3[a]	b
Low		7,000[a]	54	58[a]	80[a]	
Totals	165,920					
High		119,081	72			
Low		46,839	28			

[a]Estimated number.

[b]Where states did not have a policy on the number of LEP students in a school district that necessitates setting up a bilingual program, we used 10 students as a cutoff point for states where the average pupil-teacher ratio is less than 20 to 1 and 20 students as a cutoff point for states where the average pupil teacher ratio is more than 20 to 1.

[c]Data are unavailable.

[d]Alaska requires school districts with eight or more LEP students of one or more language minority groups to provide the students with a bilingual or English as a Second Language program, as appropriate.

[e]Massachusetts requires school districts with 20 or more LEP children of the same language minority group to provide the students with a bilingual program.

QUESTION 3

HOW MANY LIMITED ENGLISH PROFICIENT STUDENTS ARE SERVED BY TITLE VII AND NON-TITLE VII FUNDS?

To answer the question, we contacted by telephone program officials in the 50 states and the District of Columbia. Table 4 provides data obtained from program officials concerning the number of LEP children served by title VII funds, other federal funds, state funds, and local funds. In some states, the same children are served by more than one funding source.

In addition, the number of students identified as in need but not served by any funding source is provided for those states that maintain such data. We believe that the number of unserved LEP students underestimates the actual total because many state officials told us that not all school districts collect or report this data to the states.

Table 4:

Number of LEP Students Served by Title VII and Non-Title VII Funds

State	Number of LEP students served by: Title VII funds	Other federal fundsa	State funds	Local funds	Reported number of LEP students unserved
Alabama	0	400	--200[d]--		100
Alaska	983	0	10,570	[c]	0
Arizona	5,000	[c]	35,358	[c]	3,368
Arkansas	186	[c]	0	360	0
California	68,000	229,000[b]	450,000[b]	567,564	42,300
Colorado	1,250	3,577	8,175	[c]	7,825
Connecticut	400	3,000	12,000	300	2,500[b]
Delaware	0	[c]	1,184	[c]	[c]
District of Columbia	350	3,578	[c]	[c]	500
Florida	2,818	24,884	[c]	[c]	[c]
Georgia	182	2,057	0	2,876	1,024
Hawaii	824	[c]	8,585	0	0
Idaho	250	200	1,990	1,990	0
Illinois	1,500[b]	[c]	37,307	37,307	16,435
Indiana	2,416	207	0	[c]	1,466
Iowa	340	1,000	2,900	3,228	0
Kansas	0	7,714	6,485	[c]	[c]
Kentucky	1,049	[c]	0	350	252
Louisiana	3,200	4,499	0	0	19,682[b]
Maine	600[b]	120[b]	0	700	200[b]

State	Number of LEP students served by: Title VII funds	Other federal fundsa	State funds	Local funds	Reported number of LEP students unserved
Maryland	323	c	c	c	c
Massachusetts	4,347	15,526	25,523	0	0
Michigan	c	4,173	14,008	9,943	4,553
Minnesota	5,000b	5,724	8,461	8,461	1,000b
Mississippi	1,126	360	2,491	c	c
Missouri	700	1,435	0	c	1,021
Montana	889	0	0	90	1,849
Nebraska	150b	199	0	917	0
Nevada	2,000	164	4,000	4,000	0
New Hampshire	0	158	0	475	c
New Jersey	3,667	10,379	35,597	35,597	0
New Mexico	4,924	0	35,400	c	12,500b
New York	31,011b	51,667	c	c	5,632
North Carolina	3,500b	c	c	4,000b	c
North Dakota	5,100b	228	0	c	5,500
Ohio	1,389	8,118	0	c	1,279
Oklahoma	2,845	0	3,911	3,911	c
Oregon	3,024	1,674	c	c	c
Pennsylvania	500	----------	11,693e	----------	c
Rhode Island	1,411	c	------5,227f-------		0
South Carolina	62	203	0	0	c
South Dakota	1,950	102	0	0	1,105
Tennessee	1,173	2,749	0	4,000b	1,000
Texas	c	c	-----26,164g-----		23,959
Utah	1,157	2,335	2,415	c	19,311
Vermont	383	77	0	0	382
Virginia	2,800	c	-------6,000h------		200b
Washington	1,700b	4,000	13,000	c	0
West Virginia	0	0	c	c	b
Wisconsin	466	1,425b	5,169	6,594b	c
Wyoming	300	0	0	187	1,348
Total	171,245 (49 states)	390,932i (38 states)	724,529 j (39 states)	692,850 k (27 states)	(38 states)

[a]Includes Emergency Immigrant Education Program and/or Transition Program for Refugee Children.

[b]Estimated number.

[c]Data not available from state program offices.

[d]In Alabama, 200 students were served by state and local funds, but data showing the number served by each were unavailable.

[e]In Pennsylvania, 11,693 students were served by other federal programs, state, and local funds, but data showing the number served by each were unavailable.

[f]In Rhode Island, 5,227 students were served by state and local funds, but data showing the number served by each were unavailable.

[g]In Texas, 26,164 students were served by state and local funds, but data showing the number served by each were unavailable.

[h]In Virginia, 6,000 students were served by state and local funds, but data showing the number served by each were unavailable.

[i]In addition to the 38 states, Pennsylvania serves an additional 11,693 students with a combination of other federal, state, and local funds, but was unable to identify the number of students served by each funding source.

[j]In addition to the 39 states, Alabama, Pennsylvania, Rhode Island, Texas, and Virginia serve an additional 49,284 students with a combination of state and local funds, but were unable to identify the number of students served by each funding source.

[k]In addition to the 27 states, Alabama, Pennsylvania, Rhode Island, Texas, and Virginia serve an additional 49,284 students with a combination of state and local funds, but were unable to identify the number of students served by each funding source.

QUESTION 4

HOW MUCH NATIVE LANGUAGE IS USED IN TRANSITIONAL BILINGUAL EDUCATION PROGRAMS?

No adequate data are available on how much native language is being used nationally in transitional bilingual education programs. However, while not based on a national sample, a study[3] of exemplary transitional bilingual education programs at six locations found that English was predominantly used by teachers for instruction. In addition, while not focusing specifically on transitional bilingual education programs, a nationally representative 1984 study[4] of the services provided to LEP students at 397 schools also found English was used predominantly for instruction. These two studies differed in focus and, thus, do not contain comparable data.

A 1983 study of exemplary transitional bilingual education programs prepared for the Department of Education reported that the average use of native language ranged from 17 to 36 percent among projects at six locations. The 1984 study did not report data by program type to determine the relative frequency of native language use in transitional bilingual education, English as a second language, or other program types. Rather, the study classified instructional approach using other terminology. The study found that in 53 percent of the schools serving such students, no native language was used in academic subjects[5]; in 13 percent of the schools, native language was used 1 to 20 percent of the time; in 14 percent of the schools, native language was used 21 to 50 percent of the time; and in 20 percent of the schools, native language was used 51 to 100 percent of the time. In the programs designed for primary use of the native language, the native language was used at least 80 percent of the time, while in mainstreamed settings in which all English is used, the native language was not used at all.

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[3] Significant Bilingual Instructional Features Study, Far West Laboratory for Educational Research and Development, San Francisco, Calif.; 1983.

[4] LEP Students: Characteristics and School Services, Development Associates, Inc., and Research Triangle Institute, Arlington, Va.; December 1984.

[5] Excludes instruction in English or language arts in the students' native language.

QUESTION 5

WHAT IS THE MINIMUM NUMBER OF LIMITED ENGLISH PROFICIENT STUDENTS FOR BILINGUAL EDUCATION TO BE PROVIDED?

The Office of Bilingual Education and Minority Language Affairs' director of research and evaluation told us that the minimum number of students needed for a bilingual teacher differs from state to state. As shown in table 6, our analysis of policies established in 11 of the 50 states and the District of Columbia confirms this response. We found great variety among states that had policies on the number of LEP students of a language minority that necessitated setting up a bilingual program. In some states, the policy used a number of LEP students per grade; in others, LEP students per school; and in still others, LEP students per school district. In some states the standard used a particular number of LEP students speaking a common language, whereas in others the standard used a particular number of students speaking any language other than English.

Table 5:

State Policies on the Number of Students of a Language Minority Needed for a Bilingual Education Program

State	Policy
Alaska	If a school district has 8 or more LEP students of any language minority in the district, students must be provided with a bilingual or English as a second language program, as appropriate.
Arizona	If a school district has 10 or more LEP students of any language minority in a grade in a school, students must be provided with a bilingual or English as a second language program.
California	If a school district has 10 or more K-6 LEP students of the same language minority in a grade in a school, students must be provided with a bilingual program. For grades 7-12, the school district may use one of many options.
Connecticut	If a school district has 20 or more LEP students of the same language minority in a school building, students must be provided with a bilingual program.

District of Columbia	If a school has 3 to 10 LEP students, an itinerant teacher is provided; 10 to 15 LEP students, a part-time teacher is provided; and 15 to 25 LEP students, a full-time teacher is provided.
Illinois	If a school district has 20 or more LEP students of the same language minority in the same school attendance area, students must be provided with a bilingual program (grouped according to language proficiency skills and level of academic progress).
Massachusetts	If a school district has 20 or more LEP children of the same language background in the district, they must provide the students with a bilingual education.
Michigan	If a school district has 20 or more LEP students of the same language minority in a grade in a school, the students must be provided with a bilingual program.
New Jersey	If a school district has 20 or more LEP students of the same language minority in a grade (K-12) in the district, students must be provided with a bilingual program.
New York	If a school district has 20 or more LEP children of the same language minority in a grade in a school, students must be provided with a bilingual education program.
Texas	If a school district has 20 or more LEP students of the same language minority in a grade (K-12) in a school, a bilingual program must be provided for all LEP students of that language minority in grades K-5.
Wisconsin	If a school district has the following numbers of students of the same language minority in particular grade groupings in a school, students must be provided with a bilingual program: 10 or more students for grades K-3; 20 or more students for grades 4-8; and 20 or more students for grades 9-12.

QUESTION 6

WHAT DO STATES ESTIMATE TO BE THE NUMBER OF YEARS STUDENTS REMAIN IN PROGRAMS FOR LIMITED ENGLISH PROFICIENT CHILDREN?

We asked state program officials in the 50 states and the District of Columbia to provide length-of-stay data for LEP students in their transitional bilingual education programs and in alternative instructional programs, such as the English as a second language program. Thirty-nine states and the District of Columbia responded to this question, although most responses were based on estimates. Also, the responses do not total 40 in either category, as not all respondents used or had data available for both types of programs. Table 7 shows that students spend comparable periods of time in the two types of programs.

It is important to note, however, that in comments provided during our telephone conversations, some state officials stated their belief that students were being reassigned to regular classrooms--"mainstreamed"--before they were ready. In some cases, they believed there was pressure within the state to get students out of these programs as soon as possible. State officials commented that students vary as to the time that would be appropriate for them to remain in programs for LEP children. Several state officials suggested that, on average, LEP students in high school may need special services for longer periods of time than those in the elementary grades.

These estimates are consistent with data derived from the 1984 study, "LEP Students: Characteristics and School Services" prepared for the Department of Education.[6] Looking at different types of instructional programs which varied by the amount of native language instruction used, the study reported that among all programs, the years of participation ranged from 2.6 to 3.5 years. However, the study cautioned that years of participation in a program could be affected by (1) differences in the English proficiency levels of entering students; (2) different criteria for transferring students to mainstreamed settings, and (3) the relative effectiveness of programs.

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[6]"LEP Students: Characteristics and School Service," Development Associates, Inc., and Research Triangle Institute, Arlington, Va: December 1984.

Table 6:
State and District of Columbia Officials' Estimates of Lengths of Stay in Transitional Bilingual Education and Alternative Instructional Programs (School Year 1985-86)

Average lengths of stay	Number of States Reporting: Transitional bilingual education programs	Number of States Reporting: Alternative instructional programs
Less than 2 years	2	3
2 to 3 years	13	13
3 to 4 years	14	15
4+ years	7	6

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